

## FISH &amp; RICHARDSON P.C.

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September 25, 2006

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The Honorable Joseph J. Farnan, Jr.  
United States District Court  
for the District of Delaware  
844 King Street  
Wilmington, DE 19801

Re: *Power Integrations, Inc. v. Fairchild Semiconductor International*  
USDC-D. Del. - C.A. No. 04-1371 JJF



ATLANTA

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WASHINGTON, DC

Dear Judge Farnan:

I write with respect to the Court's order on Fairchild's motions in limine (D.I. 385), which required each of the parties to take certain actions to comply.

First, the Court ordered that Power Integrations provide a redacted version of Mr. Troxel's Summary Report on damages. We have done so this morning.

Second, the Court ordered Fairchild to narrow its list of 80 prior art references to seven. (D.I. 384 at 15.) Because the Court did not specify a time for compliance, however, Fairchild has taken the position that it can choose its seven references after the completion of the first trial and that it will not comply with the order before that time. (Ex. A.) Power Integrations disagrees with this reading of the order, and asked Fairchild to provide the list of seven references last week (see Ex. B) because it bears on the issues of willfulness and the doctrine of equivalents in the first trial. And of course Power Integrations was forced to select its seven claims some time ago and cannot change that selection after the first trial, so what Fairchild proposes would provide it a unilateral strategic advantage that we do not believe the Court intended.

Respectfully,

/s/ *William J. Marsden, Jr.*

William J. Marsden, Jr.

cc: Clerk of Court (via ECF and hand delivery)  
Steven J. Balick (via ECF and hand delivery)  
G. Hopkins Guy (via e-mail and first class mail)

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